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STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
STATE COUNCIL on the ARTS
19 Pillsbury Street CONCORD, NEW HAMPSHIRE 03301
Phone: (603) 271-2789 FAX: (603) 271-3584

December 16, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Executive Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 261:97-c, Use of Funds, authorize the Department of Natural and Cultural Resources, State Arts Council, to award a Conservation Number Plate (Moose Plate) Grant to the Town of Exeter (VC #177386), Exeter, NH in the amount of \$20,000 to support the restoration of a sculpture in Founders Park effective upon Governor and Executive Council approval through June 30, 2022. 100% Other Funds (Agency Income).

Funds are available in account, Conservation Plate Fund, as follows:

	<u>FY 2022</u>
03-035-035-350010-34050000-073-509074 – Grants Non-Federal	\$20,000

EXPLANATION

The Conservation Number Plate Fund is used to promote the use and conservation of cultural resources in New Hampshire and to preserve the cultural heritage that belongs to all New Hampshire citizens by providing for the preservation of publicly owned historic properties.

The Town of Exeter seeks funding to rehabilitate the “Gateway to Founder’s Park” sculpture. The sculpture is located in Founders Park located along the Exeter River and next to the Town Public Library. The sculpture is town-owned and was installed in 1988 for the 350th anniversary of the founding of the Town of Exeter. The piece depicts the Town’s history in a series of bas-reliefs and was created by sculptor Emile Birch of Canaan, NH.

Since installation, the sculpture has suffered damage and deterioration due to the effects of weather and proximity to the river. The piece is in serious need of restoration from both a visual and structural standpoint. The goal is to stabilize the sculpture and preserve it for the foreseeable future. Restoration of the 11-foot wide by 12 ½-foot high sculpture will include repairing damage, and repainting and sealing the piece to aid in weather resistance.

The Attorney General’s office has reviewed and approved the agreement as to form, substance and execution.

Respectfully submitted,

(154)

Sarah L. Stewart
Commissioner

177386
FY2022CC # 10517
Acct Code: 34050000-073



NEW HAMPSHIRE STATE COUNCIL ON THE ARTS GRANT AGREEMENT

This agreement between the State of New Hampshire, **New Hampshire State Council on the Arts** (hereinafter "Council") and **Exeter Recreation Department** (hereinafter "Grantee") is to witness receipt of funds subject to the following conditions:

1. **GRANT PERIOD:** FY2022

2. **OBLIGATIONS OF THE GRANTEE:**

- The Grantee agrees to accept **\$20,000.00** and apply it to the program(s) described in the grant application and approved budget for **To restore the Gateway to Founders Park sculpture**. In the performance of this grant agreement, the Grantee is in all respects an independent contractor and is neither an agent nor employee of the State.
- Funding credit including Council logo must appear in all programs, publicity, and promotional materials. The following wording and Council logo should be used:



Exeter Recreation Department is supported in part by a grant from the New Hampshire State Council on the Arts & the Cultural Conservation Mooseplate Program.

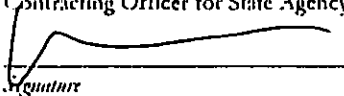
- The Grantee acknowledges that the NHSCA Program Coordinator may schedule a site visit to the organization and may request a site visit from the NHSCA.
- The Grantee agrees to abide by the limitations, conditions and procedure outlined herein and in the attached appendices. If appropriated funds for this grants program are reduced or terminated, all payments under this grant may cease. That determination rests within the sole discretion of the Council.

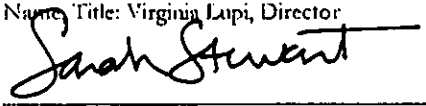
3. **PAYMENT** will be made following the receipt and execution of all required documents and approval of the Governor and Executive Council

4. **FINAL REPORT:** The Grantee agrees to submit a final financial and narrative report on a form provided by the Council no more than 30 days after the end of the grant period. Failure to submit the final report will render the Grantee ineligible for Council funding for two years.

5. **SOVEREIGN IMMUNITY:** No provision of this contract is to be deemed a waiver of sovereign immunity by the State of New Hampshire.

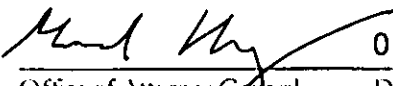
COUNCIL APPROVAL

Contracting Officer for State Agency
 12/1/21
Signature Date

Name, Title: Virginia Lupi, Director
 1/6/22
Signature Date

Name, Title: Sarah Stewart, Commissioner

APPROVED BY ATTORNEY GENERAL
as to form, substance and execution:

 01/07/2022
Office of Attorney General Date

GRANTEE SIGNATURE

Org/ Name: **Exeter Recreation Department (Town of Exeter)**

Address: **32 COURT ST. EXETER, NH 03833**

Russ Dean,

Printed Name of Authorized Official for Grantee
Town Manager

Authorized Official's Signature & Title
Date **11/23/21**

NOTARIZATION REQUIRED:

STATE OF NEW HAMPSHIRE, COUNTY OF **Rockingham**

On the **23rd** day of **November** 20**21** before the undersigned officer, personally appeared
Russell Dean

(Print name of person whose signature is being notarized)
or satisfactorily proven to be the person whose name appears above, and acknowledged that s/he executed this document in the capacity indicated.
Pamela A. McElroy

Notary Public/ Justice of the Peace
Printed Name: **Pamela A. McElroy**
My Commission expires: **Pamela A. McElroy**

NOTARY PUBLIC
State of New Hampshire
My Commission Expires 11/8/2024

CERTIFICATE FOR MUNICIPALITIES

I (insert name) Andrea J. Kohler, of (insert Municipality name), Town of Exeter, NH, do hereby certify to the following assertions:

- 1. I am a duly elected and acting Clerk/Secretary for the Municipality documented above, which is in the State of New Hampshire
2. I maintain and have custody of, and am familiar with, the minute books of the Municipality:
3. I am duly authorized to issue certificates with respect to the contents of such books:
4. The following are true, accurate and complete copies of the resolutions adopted during an official meeting of the Municipality. Said meeting was held in accordance with the laws and by-laws of the State, upon the following date (insert meeting date) 11/1/21

RESOLVED: That this municipality shall enter into a contract with the State of New Hampshire, acting by and through the Department of Natural and Cultural Resources providing for the performance by this Municipality of certain services as documented within the foregoing grant application, and that the official listed, (document the title of the official authorizing the grant, and document the name of the individual filling that position) Russ Dean, on behalf of this Municipality, is authorized and directed to enter into the said grant agreement with the State of New Hampshire, and that they are to take any and all such actions that may be deemed necessary, desirable or appropriate in order to execute, seal, acknowledge and deliver any and all documents, agreements and other instruments on behalf of this Municipality in order to accomplish the same.

RESOLVED: That the signature of the above authorized party or parties of this Municipality, when affixed to any instrument of document described in, or contemplated by, these resolution, shall be conclusive evidence of the authority of said parties to bind this Municipality, thereby:

- 5. The foregoing resolutions have not been revoked, annulled, or amended in any manner what so ever, and remain in full force and effect as of the date hereof;
6. The following person or persons have been duly elected to, and now occupy, the Office or Offices indicated:

Municipality Mayor: _____
Municipality Clerk: Andrea J. Kohler
Municipality Treasurer: _____

IN WITNESS WHEREOF: As the Clerk/Secretary of this municipality, I sign below upon this date (insert date of signing) 11-23-21

Clerk/Secretary (signature) Andrea J. Kohler

In the State and County of: (State and County names) New Hampshire - Rockingham

NOTARY STATEMENT: As Notary Public and/or Justice of the Peace, REGISTERED IN THE

STATE OF: New Hampshire, County of: Rockingham

UPON THIS DATE (insert full date) November 23, 2021 appeared before me (print full name of notary)

Pamela A. McElroy, the undersigned officer personally appeared (Insert officers name) Andrea J. Kohler who acknowledged him/herself to be (Insert the name of municipality) Exeter Town Clerk and that being authorized to do so, he/she executed the foregoing instrument for the purposes therein contained, by signing by him/herself in the name of the Municipality

In witness whereof I hereunto set my hand and official seal. (provide signature, seal and expiration of commission) Pamela A. McElroy

Pamela A. McElroy
NOTARY PUBLIC
State of New Hampshire
My Commission Expires 11/6/2024

Select Board Meeting
Monday November 1, 2021
6:35 PM
Nowak Room, Town Offices'
Draft Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Town Manager Russ Dean were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:37 PM.

2. Board Interviews

- a. There were no interviews at this meeting

3. Non-Public Session

MOTION: Ms. Cowan moved to enter into non-public session under RSA 91-A3II (a) and (c). Ms. Gilman seconded. In a roll call vote, all were in favor, and the Board went downstairs for a non-public session at 6:37 PM. The Board emerged from non public session. Selectwoman Cowan moved to seal the minutes of the non public session until matters were resolved. Selectwoman Oliff seconded. The motion carried unanimously.

The Board reconvened in the Nowak Room at 7:12 PM.

4. Public Comment

- a. There was no public comment at this meeting.

5. Proclamations/Recognitions

- a. There were no proclamations/recognition at this meeting.

6. Approval of Minutes

- a. Regular Meeting: October 18, 2021

MOTION: Ms. Gilman moved to approve the minutes of October 18, 2021 as presented. Mr. Browne seconded. All were in favor.

7. Appointments

MOTION: Ms. Cowan moved to appoint Herb Moyer to the Communications Advisory Committee, term to expire 4/30/2024. Ms. Gilman seconded. All were in favor.

MOTION: Ms. Cowan moved to appoint Kyle Welch as an alternate member of the Conservation Commission, term to expire 4/30/2023. Ms. Gilman seconded. All were in favor.

MOTION: Mr. Browne moved to appoint Stephanie Marshall to the Community Power Aggregation Committee, term to expire 12/31/2023. Ms. Gilman seconded. All were in favor.

8. Discussion/Action Items

- a. COVID 19 Updates

is to make the home accessible for a disabled partner. If we approve, the request must go to the ZBA.

MOTION: Ms. Cowan moved as the Cemetery Trustees and Select Board approve the proposed use which is a special exception to a State regulated 25 foot setback while abutting a cemetery at 37 Linden Street as presented by the petitioner. Mr. Browne seconded. Ms. Gilman abstained and the motion passed 3-0-1.

9. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a solar exemption for 91/22 in the amount of \$10,000 for 2022. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve a solar exemption for 72/219 in the amount of \$10,000 for 2022. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve an intent to cut for 5/1. Ms. Cowan seconded. All were in favor.

b. Permits & Approvals

Parks and Rec Director Greg Bisson said that historically it takes 200,000 gallons to fill the pool, but we discovered in the last bill that we expended 1.2M gallons of water due to a leak. We have located the leak, and are trying to work with a contractor to fix it. It rained 23 days in July, so the pool ran at a deficit, but we knew that it likely would run at a deficit going in to the season. This unexpectedly large bill would be an added expense in a tough year. Last year, we asked for an abatement to fill the pool from Water/Sewer, but were told the request should go before the Select Board.

Ms. Gilman asked if neighboring properties noticed the leak or extra water, and Mr. Bisson said no. There was no evidence of erosion or any issues.

Mr. Browne asked if there's a way to prevent similar issues in the future. Mr. Bisson said we don't get a water bill until August. We could ask the Water Department to monitor it. Once we repair the leak, it will be back to normal usage. We believe the water pipe froze and cracked, and we will install a mechanism to blow water out of the pipe at the end of each season.

Mr. Papakonstantis asked Mr. Dean if the Water Department monitors town buildings the way they do private residences, and Mr. Dean said he doesn't know.

MOTION: Ms. Oliff moved to grant an abatement to Parks & Rec in the amount of \$20,687.13. Mr. Browne seconded. All were in favor.

Mr. Bisson said the town received a Cultural Conservation Grant, which money comes from the "moose plates". The Arts Committee collaborated on this grant. We plan to spend \$20,000 to restore the sculpture in Founders Park. We could only find one contractor which was qualified, Inspired Ornamental. We will

come up with a plan to have maintenance of the sculpture so it doesn't deteriorate in the future.

MOTION: Mr. Browne moved to accept the Cultural Conservation Grant from the NH State Council of the Arts in the amount of \$20,000 and to authorize the Town Manager to sign the grant agreement. Ms. Cowan seconded. All were in favor.

Mr. Dean presented a draft analysis by our Municipal Resources contractor. The sales price median ratio decreased by 11%. Mr. Dean said it's 89% to 79.3%. MRI reports this is similar to other communities for real estate values. The Board must sign the data certificate, but there is no motion required.

c. Town Manager's Report

- i. He's going full bore with the Budget Recommendations Committee. The full day meeting was October 22nd, the DPW General meeting was October 27th, and this Wednesday is Police and Fire.
- ii. He's working through the Collective Bargaining process with the three unions, and should have an update soon.
- iii. The tax rate is \$24.01 per thousand, a drop of 48 cents from last year. The town rate is \$5.79 per thousand, a drop of 12 cents. The county tax rate is up 2 cents, the State Education tax is \$1.99 per thousand, and the schools had a decrease of 38 cents per thousand. Most residents should see a small decrease in the second tax bill.
- iv. There's a new hire, Gail Morin, in Finance. She's the new HR and Payroll accountant.
- v. He participated in a virtual press conference on the bipartisan infrastructure bill, and spoke about the siphons project again.
- vi. We received a notice from Pan AM about work at the Salem Street crossing next week. We also have the sewer project going over there.
- vii. The Transfer Station has extended fall hours, from 8 AM - 2:30 PM Saturdays, and noon - 4 PM on Sundays. The fall leaf pickup will be Nov 22 - 27.
- viii. Congratulations to Exeter Women's Blue Hawk Field Hockey team, who won the State Championship.

d. Select Board Committee Reports

- i. Mr. Browne was not able to attend the Facilities Advisory Committee. They're looking for a Select Board rep that can better meet their hours, which are twice a month Thursday at 4:30 PM. Ms. Gilman said she can take it if he takes the Conservation Commission, which is the second Tuesday at 7 PM.
- ii. Ms. Gilman said she attended the Heritage Commission and HDC. Both are having special meetings. The HDC made themselves flexible to an applicant who wants to do a replacement window project before

December. The Heritage Commission has an extra meeting on the 8th to review a demo request for 35 High Street.

- iii. Ms. Cowan attended the Planning Board. They delayed the continued public hearing on a multifamily site on Newfields Road because the applicant must file for a wetlands permit. They approved a conditional use permit for replacing service poles for Eversource in the median of 101. That work will take place this winter.
 - iv. Ms. Oliff was not able to attend the Housing Advisory meeting, but they continued the discussion of the roundtable event for workforce housing needs, and started a conversation about the storyboard map.
 - v. Mr. Papakonstantis attended the DPW BRC meeting, where they had a very thorough conversation about CIP items.
- e. Correspondence
- i. A memo from Eversource, with a copy of the NHDES notice of petition for license to construct equipment on State Land.
 - ii. A DES notice for action at Pickpocket Dam. Mr. Dean said there's a warrant article proposed for Pickpocket Dam.

10. Review Board Calendar

- a. The next meeting is Nov 15 with the Swasey Park Trustees. There is also a meeting on Nov 22.

11. Non-Public Session

- a. There was no non-public session at this time.

12. Adjournment

MOTION: Ms. Gilman moved to adjourn. Mr. Browne seconded. All were in favor and the meeting was adjourned at 8:55 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary



CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex³) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex³ is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex³ is entitled to the categories of coverage set forth below. In addition, Primex³ may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex³, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex³ Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex³. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

Participating Member: Town of Exeter 10 Front Street Exeter, NH 03833		Member Number: 170	Company Affording Coverage: NH Public Risk Management Exchange - Primex ³ Bow Brook Place 46 Donovan Street Concord, NH 03301-2624		
Type of Coverage		Effective Date (mm/dd/yyyy)	Expiration Date (mm/dd/yyyy)	Limits - NH Statutory Limits May Apply, if Not:	
<input checked="" type="checkbox"/>	General Liability (Occurrence Form)	1/1/2022	1/1/2023	Each Occurrence	\$ 5,000,000
<input type="checkbox"/>	Professional Liability (describe)			General Aggregate	\$ 5,000,000
<input type="checkbox"/>	Claims Made			Fire Damage (Any one fire)	
<input type="checkbox"/>	Occurrence			Med Exp (Any one person)	
<input type="checkbox"/>	Automobile Liability			Combined Single Limit (Each Accident)	
<input type="checkbox"/>	Deductible Comp and Coll: \$1,000			Aggregate	
<input type="checkbox"/>	Any auto				
<input checked="" type="checkbox"/>	Workers' Compensation & Employers' Liability	1/1/2022	1/1/2023	<input checked="" type="checkbox"/> Statutory	
				Each Accident	\$ 2,000,000
				Disease - Each Employee	\$ 2,000,000
				Disease - Policy Limit	
<input type="checkbox"/>	Property (Special Risk Includes Fire and Theft)			Blanket Limit, Replacement Cost (unless otherwise stated)	
Description: Proof of Primex Member coverage only.					

CERTIFICATE HOLDER:	Additional Covered Party	Loss Payee	Primex³ - NH Public Risk Management Exchange
			By: <i>Mary Beth Purcell</i>
			Date: 1/6/2022 mpurcell@nhprimex.org
NH Department of Natural and Cultural Resources 172 Pembroke Road Concord, NH 03301			Please direct inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax

CO	10	P. Lvl	03500
Vendor #	177386	Remit	Inv #
PO #		Ln#	\$
AU	3405000	Acct	500
Activity		Acct Cat	J
Signature	Cassie Mason	Date	1/1

NH State Council on the Arts - Invoice for Payment

Exeter Recreation Department / 177386

(Name of Person / Organization / Vendor Code)

\$ 20,000

(Total amount of Payment for this Invoice)

\$ 20,000

(Total amount of grant / service agreement / P37)

circle the TYPE of Documents and Payments

Grant

Full:

Service Agreement:

Partial:

P37:

Upon Invoice:

Other:

Cassie Mason

NHSCA Authorization

12/3/21

Date: